

**REMARKS**

Reconsideration and withdrawal of the rejection of all the claims now in the application (i.e. Claims 15-19 and 22-32) is respectfully requested in view of the foregoing amendments and the following remarks.

Initially, applicant would like to thank the Examiner for the courtesy extended towards applicant's attorney during the telephone interview of April 12, 2004.

The Examiner had objected to the initial election by applicant made in his response of January 19, 2004 in that the elected claims read, at least in part, on the cement deflector 55 of Species I, FIG. 9 rather than the cement deflector of FIG. 12.

During the telephone interview, applicant's attorney pointed out that applicant had amended the claims to try to capture the embodiment shown in FIG. 16 which discloses the two cement deflectors used together. The Examiner reiterated his position that there was no disclosure of a cement deflector with a sheath and a deflector as was claimed in amended claim 1. The Examiner is correct in that the cement deflector shown in FIGS. 12 and 14 does not extend over the insert portion of the prosthesis from its distal end to a position at or adjacent to its proximal end, as required by claims 19-23.

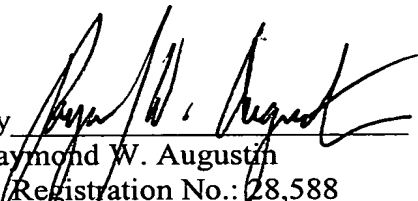
During the telephone conversation, the Examiner considered a suggestion that the apparatus claims be cancelled and that the present application would proceed with only kit claims having both the first and second cement deflectors contained therein as part of the kit. Applicant has amended claim 19 to include the limitations of claim 21 and added new claim 24 which requires the species of FIG. 12 as part of a kit which also includes a cannulated trial femoral component, a guide wire and a cannulated prosthetic femoral component. It is submitted that such a kit is not shown in the prior art. Furthermore, it is believed that the support for the kit claims now included in the application are contained in paragraphs 35 through 40 of the specification.

Applicant has amended paragraph 38 to substitute Storer U.S. Patent No. 6,217,583 for U.S. Patent No. 5,788,704 since FIGS. 11-14 of the '583 patent are similar to FIGS. 11-14 of the present application.

In the event any fee is due in connection with the present response, the Examiner is authorized to charge Applicant's Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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